

REMARKS

The Applicant has now had an opportunity to carefully consider the comments set forth in the Office Action which was mailed January 23, 2009. The continued recognition of allowable subject matter in **claims 7 and 8** is noted with appreciation. While all the rejections are respectfully traversed, in the interest of compact prosecution, **claim 2** is being amended to include subject matter from **claim 5** (and intervening **claim 4**) that the Examiner indicated she thought would be allowable, and the remainder of the rejected claims are being canceled. Re-examination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action that was mailed January 23, 2009:

claims 7 and 8 were allowed;

a response to arguments presented in Applicant's Response M, which was indicated to have been filed on October 24, 2008, was provided;

claims 2, 4, 5, 10-13, 18 and 20-28 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,963,205 to Sotomayor ("Sotomayor") in view of U.S. Patent No. 5,159,667 to Borrey et al. ("Borrey");

claim 6 was rejected under 35 USC §103(a) as being unpatentable over Sotomayor in view of Borrey and further in view of U.S. Patent No. 5,276,616 to Kuga et al. ("Kuga");

claims 15 and 16 were rejected under 35 USC §103(a) as being unpatentable over Sotomayor in view of Borrey and further in view of U.S. Patent No. 4,903,229 to Schmidt et al. ("Schmidt"); and

claim 17 was rejected under 35 USC §103(a) as being unpatentable in view of a combination of four documents including Sotomayor, Borrey, Schmidt and U.S. Patent No. 6,064,397 to Herregods et al. ("Herregods").

Telephone Interview Summary

On or about February 4, 2009, Mr. Thomas Tillander, one of the representatives of the Applicant, left a message for the Examiner, Ms. Kumiko C. Koyama, asking to discuss the discussion of **claim 5** found in the Response to Arguments section on page

14 of the Detailed Office Action. Mr. Tillander asked if amending **claim 5** to remove the reference to --document recognition functions-- would render **claim 5** allowable.

On or about February 5, 2009, the Examiner telephoned Mr. Tillander and indicated that she thought such an amendment would make **claim 5** allowable in view of the art already cited in the application.

No other claims were discussed and no final agreement was reached.

The Claims Are Not Obvious

Claims 2, 4, 5, 10-13, 18 and 20-28 were rejected under 35 USC §103(a) as being unpatentable over Sotomayor in view of Borrey.

While the Applicant maintains that the claims are allowable for at least the reasons presented in previously filed papers, in the interest of compact prosecution, **claims 10-13, 18 and 20-28** are being canceled.

With regard to the recitation in **claim 5** of "performing one of optical character recognition functions and document recognition functions", the Response to Arguments section indicates that "the Examiner believes that Sotomayor, as modified by Borrey, teaches a document recognition function." While the Applicant respectfully disagrees, in the interest of compact prosecution, **claim 5** is being amended to remove the reference to document recognition functions.

As indicated above, in the telephone conference on or about February 5, 2009, the Examiner indicated that such an amendment was likely to render **claim 5** to be allowable. **Claim 5** depended directly from **claim 4** and through **claim 4**, indirectly from **claim 2**. In this regard, **claim 2** is being amended to include the subject matter of **claims 4 and 5**.

For at least the foregoing reasons, **claim 2** is not anticipated and is not obvious in light of Sotomayor and Borrey.

Claim 6 was rejected under 35 USC §103(a) as being unpatentable over Sotomayor in view of Borrey and further in view of Kuga.

However, **claim 6** depends from **claim 2**. As indicated above, it is believed that **claim 2** has been amended to include allowable subject matter from **claim 5** (and

intervening **claim 4**). Accordingly, **claim 6** is not anticipated and is not obvious for at least that reason.

Claims 15 and 16 were rejected under 35 USC §103(a) as being unpatentable over Sotomayor, Borrey and Schmidt.

However, **claims 15 and 16** have been canceled.

Claim 17 was rejected under 35 USC §103(a) as being unpatentable over the combination of four documents including Sotomayor, Borrey, Schmidt and Herregods.

However, **claim 17** has been canceled.

For at least the foregoing reasons, it is respectfully submitted that **claims 2, 6, 7 and 8** are allowable.

Telephone Interview

In the interests of advancing this application to issue the Examiner is invited to telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 2, 6, 7 and 8 remain in the application. **Claim 2** has been amended to include subject matter from **claims 4 and 5**. For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

- Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	4	- 29 =	0
INDEPENDENT CLAIMS	2	- 8 =	0

- This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.
- The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Thomas Tillander, at Telephone Number (216) 363-9000.

Respectfully submitted,

Fay Sharpe LLP

3/30/09

Date



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